

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

13-3358

Secretary United States Depart v. John Koresko, et al

2-09-cv-00988

O R D E R

It appearing that a timely post-decision motion of a type specified by Fed. R. App. P. 4(a)(4), is pending in the District Court, it is hereby ORDERED that the above-entitled appeal is stayed pending disposition of the motion. The parties are directed to file written reports addressing the status of the pending motion on **09/06/2013** and every thirty (30) days thereafter until the last motion is decided. The stay will automatically expire upon entry of the order disposing of the last post-decision motion.

This stay does not apply to the obligation to pay filing and docketing fees or the filing of the case opening forms. These obligations must be fulfilled within the time specified by the Federal Rules of Appellate Procedure and Third Circuit Local Appellate Rules.

It should be noted that, pursuant to Fed. R. App. P. 4(a)(4)(B)(ii), any party who wishes to challenge the order disposing of the post-decision motion must file a notice of appeal, or an amended notice of appeal. The notice of appeal or amended notice of appeal must be filed within the time prescribed by Fed. R. App. P. 4(a), measured from the date of entry of order disposing of the last remaining post-decision motion.

For the Court,

Marcia M. Waldron

Marcia M. Waldron, Clerk

Dated: August 7, 2013

PDB/cc: All Counsel of Record